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EXAMINER

TABATABAI, ABOLFAZL

ART UNIT PAPER NUMBER

2625

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/069,676	SHINDO, JIRO	
	Examiner	Art Unit	
	Abolfazi Tabatabai	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5,9,17 and 24-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,9,17 and 24-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/31/02</u> . | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

### **Claim Objections**

1. Claims 3, 4 and 27-48 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim (s). See MPEP § 608.01(n). Accordingly, the claims 3, 4 and 27-48 have not been further treated on the merits.

### **Claim Rejections - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 9, 17, 28, 29, 34-37, 40, 44-47 and 49 are rejected under 35 U.S.C. 102(e) as being anticipated by Barry (U S 6,615,258 B1).

Regarding claim 1, Barry discloses a method for delivering image data (column 4, lines 14-19 and 55-63), characterized by including a process that develops image data delivered from a server side (column 16, lines 10-19 and column 20, lines 21-30), on a memory (column 50, lines 44-46) at a client side (column 20, lines 21-26) and adds security data of a user to the image data developed in order to prevent illegal use of the image data in the delivery of the image data to the above-mentioned client side via a network from the above-mentioned server side (column 15, lines 36-59).

Regarding claim 2, Barry discloses the method for delivering image data of Claim 1, characterized by further including a process that transmits the security data of the above-mentioned user to the above-mentioned server side from the above-mentioned client side and a process that stores the above-mentioned security data in a storage device of the above-mentioned server side (column 19, lines 11-16).

Regarding claim 9, Barry discloses a method for delivering image data (column 4, lines 14-19 and 55-63), characterized the fact that in a method for delivering image data to a client from a server (column 20, lines 21-26), it includes a process that instructs the above-mentioned client side to access a security controller from the server side in response to the request of the image data from the client side (column 20, lines 21-26), a process that accesses the above-mentioned security controller from the above-mentioned client side and demands the certification of an image data delivery (column 53, lines 13-30), a process that transmits the image data corresponding to the above-mentioned request to the above-mentioned client side from the above-mentioned server side (column 53, lines 13-30),, a process that transmits an image key for opening the above-mentioned image data to the above-mentioned client side from the above-mentioned server side, a process that opens the above-mentioned image data by using the above-mentioned image key at the above-mentioned client side and adds security data of the user or client to said image data, and a process that outputs the image data to which the above-mentioned security data are added (column 8, lines 29-38 and column 20, lines 18-30).

Regarding claim 17 Barry discloses an image data delivery system (fig. 12 element 490a; column 4, lines 14-19 and 55-63), characterized by the fact that it is equipped with an image file server that has an image file database in which image files are stored (fig. 10 element 160), a security control server that has a user database in which registered data of each user are stored and an image key database in which image keys for opening the above-mentioned each image file are stored (column 18, lines 30-36), clients and a network that connects the above-mentioned image file server (column 27, lines 18-20 and 47-53), the above-mentioned security control server, and the above-mentioned clients; and it has a function that instructs an above-mentioned client to access the above-mentioned security control server in response to the request of image data from the above-mentioned client by the above-mentioned image tile

server, a function that transmits the image data requested to the above-mentioned client, a function that accesses the above-mentioned security control server by the above-mentioned client and requests certification of the above-mentioned image data acquisition of the user, a function that responds to the request of certification from the above-mentioned client by the above-mentioned security control server (column 18, lines 30-36 and column 20, lines 21-26), confirms the above-mentioned user database, gives the certification to the above-mentioned user (column 53, lines 13-30), and transmits the image keys of the above-mentioned requested image data from the above-mentioned image database, and a function that opens the above-mentioned received image data by the above-mentioned client using the image keys and adds

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security data of the above-mentioned user to the above-mentioned image data (column 8, lines 29-38 and column 20, lines 18-30).

Regarding claim 28, Barry discloses the method for delivering image data of any of Claims 5 and 25-27; characterized by further including a process that saves a communication condition with the above-mentioned client side (column 52, lines 8-23).

Regarding claim 29, Barry discloses the method for delivering image data of any of Claims 5 and 25-28, characterized by the fact that access to the above-mentioned security controller is instructed by giving an IP address of the above-mentioned security controller (column 50, lines 35-39).

Regarding claim 34, Barry discloses 34 the method for delivering image data of any of Claims 9 and 31-33, characterized by further including a process that transmits the above-mentioned security data to the above-mentioned server side and a process that saves said security data at the above-mentioned server side 9column 18, lines 56-66).

Regarding claim 35, Barry discloses the method for delivering image data of any of Claims 9 and 31-34, characterized by further including a process that saves a communication conditions with the above-mentioned client side in a log file at the above-mentioned server side (column 12, lines 12-20 and column 51, lines 2-4).

Claim 36 is similarly analyzed as claim 29 above.

Regarding claim 37, Barry discloses the method for delivering image data of any of Claims 9 and 31-36, characterized by the fact that the above-mentioned image data being transmitted from the above-mentioned server side are compressed, and after said

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image data are expanded at the above-mentioned client side, the above-mentioned security data are added (column 27, lines 47-53).

Regarding claim 40, Barry discloses the method for delivering image data of any of Claims 9 and 31-39, characterized by the fact that the delivery date of the above-mentioned image data, user ID (column 20, lines 31-34), serial number of the storage device of the above-mentioned client in which the above-mentioned image data are stored, or IP address of the above-mentioned client are included in the above-mentioned security data (column 50, lines 35-39).

Claim 44 is similarly analyzed as claim 34 above.

Claim 45 is similarly analyzed as claim 35 above.

Claim 46 is similarly analyzed as claim 36 above.

Claim 47 is similarly analyzed as claim 37 above.

Claim 49 is similarly analyzed as claim 40 above.

### **Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 38 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry (U S 6,615,258 B1) in view of Krishna et al (U S 6,012,071).

Regarding claim 3, Barry is silent about the specific details regarding the method for delivering image data of Claim 1 or 2, characterized by adding the above-mentioned security data as an electronic window to the above-mentioned image data.

In the same field of endeavor (data processing system), however, Krishna discloses distributed electronic publishing system comprises the method for delivering image data of Claim 1 or 2, characterized by adding the above-mentioned security data as an electronic window to the above-mentioned image data (column 9, lines 4-8).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use security data as an electronic window as taught by Krishna in the system of Barry because Krishna provides Barry an improved system for easily creating and displaying visually attractive electronic publications.

Claim 38 is similarly analyzed as claim 3 above.

Claim 48 is similarly analyzed as claim 3 above.

6. Claims 4, 24, 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry (U S 6,615,258 B1) in view of Ito et al (U S 5,068,744).

Regarding claim 4, Barry is silent about the specific details regarding the method for delivering image data of any of Claims 1-3, characterized by the fact that the above-mentioned security data are added to the above-mentioned image data by selecting several picture elements existing at noncontinuous positions among respective picture elements of the above-mentioned image data developed on the memory and increasing or decreasing the luminance of the above-mentioned picture elements selected.

Claim 24 is similarly analyzed as claim 4 above



In the same field of endeavor, however, Ito discloses picture data compressing and recording apparatus for recording components of the picture independently comprises the method for delivering image data of any of Claims 1-3, characterized by the fact that the above-mentioned security data are added to the above-mentioned image data by selecting several picture elements existing at noncontinuous positions among respective picture elements of the above-mentioned image data developed on the memory and increasing or decreasing the luminance of the above-mentioned picture elements selected (column 7, lines 52-56).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use increasing or decreasing the luminance of the above-mentioned picture elements selected as taught by Ito in the system of Barry because Ito provides Barry an improved system for recording picture data, and more particularly to a picture data compressing and recording system for recording picture data on a recording medium by applying orthogonal transform coding to the picture data.

Claim 39 is similarly analyzed as claim 4 above.

7. Claims 5, 25-27, 30-33 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barry (U S 6,615,258 B1) in view of Sprague et al (U S 5,247,575).

Regarding claim 5, Barry discloses a method for delivering image data, characterized by including a process that instructs a client side (column 20, lines 21-26) to access a security controller for certifying image data delivery in response to a request from the above-mentioned client at a server side in order to prevent illegal use of image data in the delivery of the image data to the above-mentioned client side via a network

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from the above-mentioned server side (column 8, lines 29-38 and column 20, lines 18-30).

However, Barry is silent about the specific details regarding a process that delivers an electronic key for opening the image data to the above-mentioned client side from the above-mentioned security controller in response to the certification request of the image data delivery from the above-mentioned client side.

In the same field of endeavor (data processing), however, Sprague discloses information distribution system comprises a process that delivers an electronic key for opening the image data to the above-mentioned client side from the above-mentioned security controller in response to the certification request of the image data delivery from the above-mentioned client side (column 14, lines 22-29).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use increasing or decreasing the luminance of the above-mentioned picture elements selected as taught by Sprague in the system of Barry because Sprague provides Barry an improved system with low cost, personalized information device and distribute vast quantities of information to a user site, both as an original, one-time archival databank and as periodic updates on continuing basis.

Regarding claim 25, Barry is silent about the specific details regarding the method for delivering image data of Claim 5, characterized by the fact that the above-mentioned image data have image files of varying image quality; and the request from the above-mentioned client includes a designation of image quality.

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In the same field of endeavor (data processing), however, Sprague discloses information distribution system comprises the fact that the above-mentioned image data have image files of varying image quality; and the request from the above-mentioned client includes a designation of image quality (column 13, lines 10-16).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use image quality as taught by Sprague in the system of Barry because Sprague provides Barry an improved system with low cost, personalized information device and distribute vast quantities of information to a user site, both as an original, one-time archival databank and as periodic updates on continuing basis.

Regarding claim 26, Barry discloses the method for delivering image data of Claim 25, characterized by the fact that the above-mentioned image data have image files with a data structure which is made hierarchical by the image quality (column 18, lines 30-39).

Regarding claim 27, Barry discloses the method for delivering image data of Claim 25 or 26, characterized by the fact that the above-mentioned image quality is the resolution or size of the images (column 47, lines 43-48).

Regarding claim 30, Barry discloses the a recording medium for storing software to implement the method for delivering image data of any of Claims 1-3, 5, and 25-29 (column 31, lines 37-50).

Claim 31 is similarly analyzed as claim 25 above.

Claim 32 is similarly analyzed as claim 26 above.

Claim 33 is similarly analyzed as claim 27 above.

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Claim 41 is similarly analyzed as claim 25 above.

Claim 42 is similarly analyzed as claim 26 above.

Claim 43 is similarly analyzed as claim 27 above.

### **Other prior art Cited**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Furukawa et al (U S 6,145,011) discloses integrated information communication system using internet protocol.

Feinberg et al (U S 6,065,046) disclose computerized system and associated method of optimally controlled storage and transfer of computer programs a computer network.

Mayle et al (U S 6,018,774) disclose method and system for creating message including image information.

### **Contact Information**

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to ABOLFAZL TABATABAI whose telephone number is (571) 272-7458.

The Examiner can normally be reached on Monday through Friday from 9:30 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Mehta Bhavesh M, can be reached at (571) 272-7453. The fax

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phone number for organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abolfazl Tabatabai

Patent Examiner

Group Art Unit 2625

September 22, 2005

*A-Tabatabai*

  
**KANJIBHAI PATEL**  
**PRIMARY EXAMINER**